



Written Testimony before the Labor and Public Employees Committee

March 13, 2012

S.B. No. 352 AN ACT CREATING A PROCESS FOR FAMILY CHILD CARE PROVIDERS TO COLLECTIVELY BARGAIN WITH THE STATE.

This bill would establish collective bargaining rights for family child care providers who participate in the Care4Kids program. Care4Kids is a child care subsidy program, administered by the Department of Social Services (DSS), which assists low- and moderate-income families with child care expenses.

The bill would require DSS to bargain and enter into agreements with the representative organization for family child care providers over the terms and conditions of their participation in Care4Kids, including, but not limited to, reimbursement rates, benefits, training and professional development. Note that the bill does not confer collective bargaining rights on child care providers working in child care centers but, rather, is specific to providers in family day care homes and "kith and kin" providers, who are currently eligible to participate as providers in the Care4Kids program.

The department has two primary concerns with this bill. The first is that the bill designates DSS as the entity with the authority to negotiate any labor agreement with the organization representing the family child care providers. DSS, as you know, administers social service and health programs. The department has no expertise in or capacity to engage in labor relations or collective bargaining; therefore, we believe it would be more appropriate to have the bargaining functions outlined in the bill within the state Office of Labor Relations.

Second, it is crucial that services to our clients not be diminished as a result of any negotiated agreement. Care4Kids is not an entitlement program but, rather, has a capped state appropriation. Any increases in program costs due to higher reimbursement rates, for instance, without a corresponding increase in the program's appropriation will inevitably result in program cutbacks. Therefore, it is essential that language be included in the bill that requires the General Assembly to approve and make corresponding appropriations for any item in a collective bargaining agreement that will result in additional cost to the program.